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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 10/826,265   | 04/19/2004  | Ching-Sung Lee       | 3624-0166PUS1           | 9417             |
| 2292   | 7590        | 05/31/2006           | EXAMINER                |                  |
| BIRCH STEWART KOLASCH & BIRCH<br>PO BOX 747<br>FALLS CHURCH, VA 22040-0747 |             |                      | SCHRODE, WILLIAM THOMAS |                  |
|  |             |                      | ART UNIT                | PAPER NUMBER     |
|  |             |                      | 3676                    |                  |

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/826,265

Applicant(s)

LEE, CHING-SUNG

Examiner

William Schrode

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "screw holes" in line 3 of claim 4. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Wu (2002/0096893). In regard to claim 1, Wu teaches a assembling device for an auxiliary lock, comprising: a monolithic assembling plate (1) including a first side and a second side; a first engaging upright portion (i.e. the inner portion of plate 1 that projects out towards plate 2) consisting of a first relief structure formed on the first side, and having a first diameter; and a second engaging upright portion (13) consisting of a second relief structure formed on the second side, and having a second diameter corresponding to

the first diameter of the first engaging upright portion; wherein the first engaging upright portion and the second engaging upright portion are coaxially arranged, and the first diameter of the first engaging upright portion is substantially smaller than the second diameter of the second engaging upright portion; wherein one of the first engaging upright portion and the second engaging upright portion is selected and engaged with an assembling hole of a door plank so that the monolithic assembling plate is secured to a periphery of the assembling hole of the door plank, and the monolithic assembling plate is further adapted to combine with a rose escutcheon and a doorknob. Although Wu fails to teach the assembling device is two-way, Wu teaches the claimed structural limitation. Therefore Wu's assembly device is inherently capable of being two-way.

In regard to claim 2, Wu teaches the assembling device further comprising at least one first fixing member (14) which extends through at least one first through hole (11) of the first engaging upright portion so that the monolithic assembling plate is secured to the periphery of the assembling hole of the door plank.

In regard to claim 4, as "best understood", Wu teaches the assembling device further comprising at least one second fixing member (i.e. the second fixing member 14, as shown in Fig. 3) which successively extends through each of screw holes (i.e. the second hole 11) of the first engaging upright portion of the monolithic assembling plate and the rose escutcheon so that the monolithic assembling plate and the rose escutcheon are combined.

In regard to claim 5, Wu teaches the assembling device wherein the first engaging upright portion has a first connecting hole (12) and the rose escutcheon has a

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second connecting hole (42), an actuating rod (31) of the doorknob (3) successively extending through the first connecting hole and the second connecting hole so that the actuating rod is accommodated in the assembling hole of the door plank.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Shen (5,983,683). In regard to claim 3, Wu teaches the claimed invention but fails to teach at least one first fixing member which extends through at least one second through hole of the second engaging upright portion.

Shen shows that it is known in the art to construct an adaptor with multiple fixing members and through holes on different portions for securing means. It would have been obvious to one with ordinary skill in the art at the time of the invention to modify Wu as taught by Shen, since such a modification would provide extra securing means and thus increase the strength of the lock.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Don et al (6,230,528). In regard to claim 6, Wu teaches the claimed assembling device but fails to teach a latch mechanism contained in the assembling hole of the door plank, the latch mechanism including an actuating wheel and an engaging slot thereof,

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a distal end of the actuating rod engaged with the engaging slot for operating the latch mechanism.

Don shows that it is known in the art to construct a lock including a latch mechanism contained in the assembling hole of the door plank, the latch mechanism (5) including an actuating wheel and an engaging slot thereof, a distal end of a actuating rod engaged with the engaging slot for operating the latch mechanism. It would have been obvious to one with ordinary skill at the time of the invention to construct Wu's assembly as taught by Don, since such a modification is well known in the art and would provide a latch with conventional design and durability.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wu, Don et al, Solovieff, H. Young, Shen, and Huang et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Schrode whose telephone number is (571)272-1647. The examiner can normally be reached on Mon-Fri 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571)272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WS  
05/25/06



**BRIAN E. GLESSNER**  
**SUPERVISORY PATENT EXAMINER**